

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400

IN THE  
U.S. PATENT AND TRADEMARK OFFICE

Anticipated Classification of this application:

Class \_\_\_\_\_ Subclass \_\_\_\_\_

Prior application:

Examiner: Bonura, Timothy M.

Art Unit: 2184

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on 11/03/03 and is addressed to the Commissioner for Patents, Alexandria, VA 22313-1450

"Express Mail" label no. EV336739281

Typed Name: Safiya Jarvis

Signature: \_\_\_\_\_

Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR A CONTINUING APPLICATION UNDER 37 CFR 1.53(b)

Sir:

This is a request for filing a continuing application under 37 CFR 1.53(b) a

☒ continuation application of:

☐ divisional application of:

Pending Prior Application

Application No. 09/599,707 filed June 22, 2000

Title PHYSICAL INCREMENTAL BACKUP USING SNAPSHOTS

Name of applicant(s) Andrew C. Goldstein, David W. Thiel and Richard F. Wrenn

Copy of Application

☒ Enclosed is a copy of the prior application, including the drawings.

☐ Enclosed is a new specification, including new drawings.

Oath or Declaration

☒ Enclosed is a copy of the prior Declaration (37 CFR 1.63(d)).

☐ Enclosed is a newly executed Declaration (original or copy).

Foreign Priority - 35 USC 119

☐ Foreign priority under 35 U.S.C. 119 has been claimed in prior Application No. \_\_\_\_\_  
filed on \_\_\_\_\_ in \_\_\_\_\_

☐ The certified copy has been filed in prior Application No. \_\_\_\_\_  
filed \_\_\_\_\_.

☐ A separate paper claiming direct priority to a foreign application is enclosed herewith. A certified copy of the foreign application will be provided in due course.

Relate Back - 35 USC 120

Cross Reference To Related Application(s);

This is a ☒ continuation ☐ divisional

of copending application number 09/599,707 filed on Jun 22, 2000,

which is hereby incorporated by reference herein.

Inventorship Statement

- ( ) Delete the following named individuals as inventors in this application in accordance with 37 CFR 1.53(b) as a result of a change in the claimed subject matter:

Appointment of Associate Attorney

- ( ) Recognize as Associate Attorney or Agent \_\_\_\_\_

Registration No. \_\_\_\_\_

- ( ) authorization is hereby granted by signature below of the Attorney or Agent of record  
( ) the Associate Attorney or Agent may not have the authority to appoint other Attorneys or Agents

Communications

- (X) Address all future communications to:

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P. O. Box 272400  
Fort Collins, Colorado 80527-2400

Direct telephone calls to:

Michael R. Reinemann  
(617) 951-2500

Other Amendments

- (X) Enter the enclosed Preliminary Amendment. The filing fee is calculated on the basis of the amended claims.

Fee Calculation

- (X) The filing fee is calculated below for (X) Utility ( ) Design

CLAIMS AS FILED BY OTHER THAN A SMALL ENTITY				
(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) TOTALS
TOTAL CLAIMS	11 — 20	0	X \$18	\$ 0
INDEPENDENT CLAIMS	2 — 3	0	X \$86	\$ 0
ANY MULTIPLE DEPENDENT CLAIMS	0		\$290	\$ 0
BASIC FEE: Design ( \$340.00 ); Utility ( \$770.00 )				\$ 770
TOTAL FILING FEE				\$ 770
TOTAL CHARGES TO DEPOSIT ACCOUNT				\$ 770

Charge \$ 770 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Andrew C. Goldstein

By Michael R. Reinemann  
Michael R. Reinemann  
Attorney/Agent for Applicant(s)  
Reg. No. 38,280

Date : 11/03/2003

Telephone : (617) 951-2500

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re The Application of:	)	
Andrew C. Goldstein et al.	)	
	)	
Serial No.: Not yet assigned	)	Examiner: Not yet assigned
	)	
Filed: November 3, 2003	)	
	)	Art Unit: Not yet assigned
For: PHYSICAL INCREMENTAL	)	
BACKUP USING SNAPSHOT	)	
	)	
	)	
	)	Cesari and McKenna, LLP
		88 Black Falcon Avenue
		Boston, MA 02210
		November 3, 2003

### **EXPRESS-MAIL DEPOSIT**

“Express Mail” Mailing-Label Number: EV 336739281 US

The following papers are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 C.F.R. §1.10:

<u>X</u> Patent Application ( 33 pages including 41 claims )	<u>X</u> Request for Continuing Application
<u>X</u> Oath or Declaration	Under 37 CFR 1.53(b)
<u>X</u> Informal Drawings ( 9 sheets )	<u>X</u> Letter to Official Draftsman
<u>X</u> Information Disclosure Statement	<u>X</u> PTO-1449 and Copies of References
<u>X</u> Preliminary Amendment	<u>X</u> Return Receipt Postcard
<u>X</u> Formal Drawings (9 sheets)	

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Andrew C. Goldstein

Confirmation No.:

Application No.:

Examiner:

Filing Date: 11/03/2003

Group Art Unit:

Title: PHYSICAL INCREMENTAL BACKUP USING SNAPSHOTS

Mail Stop PGPUB Drawings  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

DRAWING TRANSMITTAL LETTER

Sir:

Enclosed herewith please find:

- ( ) \_\_\_\_\_ sheets of redlined drawing(s) which indicate proposed changes to the drawing(s). Upon approval of these proposed changes, formal drawing(s) will be submitted.
- ( ) \_\_\_\_\_ sheets of corrected formal drawing(s), as required by the Notice of Patent Drawings Objection (PTO-948) which accompanied the Office Action dated \_\_\_\_\_.
- ( ) \_\_\_\_\_ sheets of corrected formal drawing(s), as required by the Notice of Patent Drawings Objection (PTO-948) and approved in the Notice of Allowability dated \_\_\_\_\_.
- (X) 9 sheets of formal drawing(s). Please substitute these formal drawing(s) for the informal drawing(s) originally filed.
- ( ) \_\_\_\_\_

Examiner's approval of the entry of these drawings is respectfully requested. No new matter has been added.

Respectfully submitted,

Andrew C. Goldstein

By 

Michael R. Reinemann

Attorney/Agent for Applicant(s)

Reg. No. 38,280

Date: 11/03/03

Telephone No.: (617) 951-2500

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

Date of Deposit: 11/03/03

Typed Name: Safiya Jarvis

Signature: \_\_\_\_\_